

Central Intelligence Agency



Washington, D.C. 20505

CHRONO

10 April 1984

Mr. Richard C. Barnes
Staff Director
Subcommittee on Legislation and
National Security
Committee on Government Operations
House of Representatives
Washington, D.C. 20515

Dear Mr. Barnes:

Enclosed is a copy of the Agency's policy on certain sexual conduct. As you can see, it is dated 6 June 1982 but the policy was reviewed in November of 1983, and the decision was made not to change it at that time.

I hope that this is useful to Congressman Waxman and that it will answer any questions he might have had. If this is not the case, please contact me and I will arrange for one of our security officers to brief the Congressman.

Sincerely yours,



Chief, Liaison Division
Office of Legislative Liaison

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Enclosure

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POLICY ON CERTAIN SEXUAL CONDUCT

Central Intelligence Agency employees and others holding CIA security clearances or approvals are entrusted with access to highly sensitive classified information relating to the national security. To be eligible for access to classified information, individuals must be trustworthy, stable, of excellent character and discretion, and not subject to undue influence or duress through exploitable personal conduct.

The security clearance or approval process entails the examination of a sufficient period of a person's life to make a determination that the person is not now, nor likely to become later, an unacceptable security risk. Adjudication in the field of security is the careful weighing of a number of variables known as the "whole person" concept. The recency of occurrence of any adverse incident, together with circumstances pertaining thereto, is central to a fair and uniform evaluation. The maturity and responsibility of a person at the time of the adverse incident(s) as well as any repetition or continuation of such conduct will be considered. Each case must be judged on its own merits and final determination remains the responsibility of the Director of Central Intelligence. Any doubt concerning a person having access to classified information shall be resolved in favor of the national security.

Sexual conduct can be a relevant consideration in circumstances in which the conduct reflects upon the individual's stability, indicates a personality disorder or could result in exposing the individual to direct or indirect pressure because of susceptibility to undue influence, duress, blackmail or coercion. For example, foreign intelligence services are known to target for cultivation and exploitation persons known or believed to be practicing adult homosexual behavior. There have been a significant number of espionage cases in which homosexual conduct has been a factor. In addition, homosexual activity is illegal in many areas of the world in which Agency personnel must serve. In examining such cases, it is relevant to consider the age of the person, the voluntariness and the frequency of such activities, the public nature and the recency of the conduct, the identity of others participating in the conduct, and any other

circumstances which may serve to aggravate the nature or character of the conduct. A recommendation for disapproval is appropriate when, in view of all available evidence concerning the individual's history of sexual behavior, it seems likely that access to classified information could pose a risk to the national security.